

**AGENDA FOR
City Council Members' "Noon" Meeting
Monday, April 3, 2000
Immediately Following Director's Meeting
Conference Room 113**

I. MINUTES

- *1. Pre-Council Meeting Minutes - RE: "F" Street Recreation Center Funding - March 6, 2000.
- *2. Pre-Council Meeting Minutes - RE: Stevens Creek Basin Planning Initiative - March 20, 2000.
- *3. Pre-Council Meeting Minutes - Executive Session - RE: Litigation - March 20, 2000.
- 4. Minutes from Director's Meeting of March 20, 2000.
- 5. Minutes of "Noon" Council Members' Meeting of March 20, 2000.

II. COUNCIL REPORTS ON BOARDS, COMMITTEES, COMMISSIONS AND CONFERENCES

- *1. Entryway Meeting (Fortenberry)
- *2. EMS Task Force Meeting (Johnson)
- *3. Lincoln Action Program Meeting (McRoy) - **MARCH MEETING WAS CANCELLED**
- *4. Star City Holiday Festival Board Meeting (McRoy)
- *5. Joint Budget Committee Special Meeting (Johnson/Seng)
- 6. Internal Liquor Committee (Johnson/McRoy/Shoecraft)
- 7. Concert/Entertainment Task Force Meeting (McRoy)
- 8. DLA Board of Directors Meeting (Seng)
- 9. Indoor Ice Skating Task Force Meeting (Shoecraft)
- 10. PRT Meeting (Shoecraft)

OTHER MEETINGS REPORTS:

III. APPOINTMENTS/REAPPOINTMENTS

- *1. Memo from Jennifer Brinkman - RE: Boards and Commission Appointments (See Memo).

- *2. E-Mail from Alan Hersch to Council - RE: He is interested in serving on a citizen task force for the Stevens Creek area planning process.
- 3. Memo from Jennifer Brinkman - RE: Boards and Commission Appointments (See Memo).

IV. MEETINGS/INVITATIONS

- 1. Taste Of Nebraska Presents Solid As A Rock - You are cordially invited to be our Guest! - Taste Highlights - Guest Speakers Governor Mike Johanns, Ronald N. Magruder, Chairman of The Board National Restaurant Association - On Monday, May 1, 2000 at The Cornhusker Hotel, 333 South 13th Street - 6:00 p.m. to 7:00 p.m. is the Annual Meeting & Awards Ceremony – 7:00 p.m. to 9:00 p.m. is Social Hour & Dinner – RSVP by Monday, April 10, 2000 and if you have any questions, Please call Craig Lutz at 483-2630 - Your complimentary tickets will be sent to you in the near future (See Invitation).
- 2. “FACE THE CHAMBER” - Mayor Don Wesely Faces the Chamber in April - Join the Chamber for lunch as Mayor Don Wesely discusses current events on Wednesday, April 12th from Noon until 1:00 p.m. Registration, at the Country Club of Lincoln at 3200 South 24th Street, begins at 11:45 a.m. As a Chamber member, your entire employment is welcome. Admission is \$12.00 (\$15.00 at the door) and includes lunch. RSVP by Monday, April 10 at Noon (See Invitation).
- 3. Applied Suicide Intervention Skills Training (ASIST) - Presented by LivingWorks Association - Thursday & Friday, May 11-12, 2000 from 8:00 a.m. to 4:30 p.m. at the Embassy Suites, 1040 “P” Street - The cost of the workshop is \$225 if registration is received by April 17 or \$275 if received after April 17th. Registration deadline is May 1, 2000 (See Invitation for schedule).
- 4. 2000 Better Business Bureau Integrity Awards - Information, Criteria and Entry Form - Winners will be notified in advance, and the awards will be presented at a luncheon on May 22, 2000 at the Cornhusker Hotel in Lincoln - Please send entries and supporting materials by April 21, 2000 to 436-2345. (See Invitation).
- 5. The Lincoln Partnership for Economic Development will hold its 3rd Annual Workforce Development Symposium on Thursday, April 20, 2000 at The Cornhusker Hotel - It would be a privilege to have as many Lincoln City Council members, within the limits of the law, attend the symposium breakfast as their guests and sit at the table we’ve reserved for City of Lincoln officials. The breakfast begins at 8:00 a.m. and will conclude around 11:30 a.m. The speaker will be Dr. Ellen Cannon who will speak on “Successful work environments, changes in the workplace and leadership for the future.” Please RSVP to Tera Pugh at 436-2355 by April 13. (See Invitation).
- 6. Updowntowners Membership Meeting on Tuesday, April 18, 2000 from 11:30 a.m. to 1:00 p.m. - At the Top of the Rock - Join special guest Lindy Bull for a presentation of the new Lincoln Children’s Museum building, exhibits and opening events, followed by a

tour of the new facility - Cost of Lunch is \$8.00 (No-shows will be billed) - RSVP by April 13 to 434-6507 (See Invitation).

V. COUNCIL MEMBERS

VI. REQUESTS OF COUNCIL FROM MAYOR - NONE

VII. MISCELLANEOUS

- *1. Discussion with Paul Malzer regarding the Restructuring Update information and The City Council Agenda Public Forum Procedure. (Hold material for April 3rd Meeting)
2. It's time once again to think about the Agenda for the next joint meeting of the Lincoln City Council, the Lincoln Board of Education, and the Mayor. The meeting is scheduled for Thursday, April 13, 2000 at 7:30 a.m. at the Lincoln Public Schools District Offices. Any Agenda items from you need to be in by Tuesday, April 4th. (Linda Pappas at 436-1601).

VIII. ADJOURNMENT

***HELD OVER FROM MARCH 27, 2000.**

MINUTES
CITY COUNCIL MEMBERS “NOON” MEETING
MONDAY, APRIL 3, 2000
CONFERENCE ROOM 113

Council Members Present: Coleen Seng, Chair; Jeff Fortenberry; Vice-Chair; Jon Camp; Jonathan Cook; Cindy Johnson; Annette McRoy; ABSENT: Jerry Shoecraft.

Others Present: Jennifer Brinkman, Ann Harrell, Mayor's Office; Dana Roper, City Attorney; Paul Malzer, City Clerk; Karen Shinn, Darrell Podany, Aides to Council Members Fortenberry and Camp, respectively; Joan Ray, City Council Secretary; and Chris Hain, *Lincoln Journal Star* Representative.

I. MINUTES

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Ms. Seng, Council Chair, requested a motion to approve the above-listed minutes. Jon Camp moved to approve the minutes, as presented. The motion was seconded by Jonathan Cook, and carried by the following vote: AYES: Jon Camp, Jonathan Cook, Jeff Fortenberry, Cindy Johnson, Annette McRoy, Coleen Seng; NAYS: None; ABSENT: Jerry Shoecraft.

II. COUNCIL REPORTS ON BOARDS, COMMITTEES, COMMISSIONS AND CONFERENCES

1. ENTRYWAY MEETING (Fortenberry) - Discussed at Pre-Council this date.
2. EMS TASK FORCE MEETING (Johnson) - Council has been updated.
3. LINCOLN ACTION PROGRAM MEETING (McRoy) - **MARCH MEETING WAS CANCELLED**
4. STAR CITY HOLIDAY FESTIVAL BOARD MEETING (McRoy) - No Report
5. JOINT BUDGET COMMITTEE SPECIAL MEETING (Johnson/Seng) Ms. Johnson reported that the meeting was basically a review of the Needs Assessment Draft report, and stated that she hopes to have a pre-council meeting set up on this issue in the near future. Once this report has been fine-tuned to make for an easy read, it will be the basic tool we use in allotting funds to United Way. Ms. Johnson reaffirmed that a pre-council would be forthcoming for a detailed update on this report for the Council.
6. INTERNAL LIQUOR COMMITTEE (Johnson/McRoy/Shoecraft) Ms. Johnson reported that the meeting, as usual, was devoted to reviewing violations of Liquor Laws. Ms. Johnson also reported that the Committee is looking at having legislation introduced that would require a license to have more than just the manager receive the required training. She cited instances such as Quick Shops where one license covered several outlets, as is frequently the case, noting that one manager

cannot adequately oversee the liquor license operations of several establishments on a daily basis. The thrust of the legislation would require other employees who are on premise daily to be trained in the liquor handling operations for each location.

Ms. McRoy inquired how much the expansion of the training program would cost the license holders? Ms. Johnson stated that she believed the fee is \$45.00 for each person taking the training program., unless that has changed since she was last informed. What the license holders had been doing was having the appointed manager take the training and then go back to the locations to do in-house training. This has not been effective, as evidenced by the proliferation of violations.

Ms. Johnson also stated that upon the suggestion of Councilperson Shoecraft, a requirement for server training is also being studied. She stated that Mr. Shoecraft would work with City Attorney Joel Pedersen to come back with some ideas on this concept based on the Health Departments' food handling permit program. More information on that concept will be forthcoming later this summer.

She noted that the processes used by the Problem Resolution Team might be modeled in setting up guidelines for the liquor establishments, outlining for them the Committee's expectations and requirements.

7. CONCERT/ENTERTAINMENT TASK FORCE MEETING (McRoy) Ms McRoy reported that they discussed the survey that had appeared in the Lincoln *Journal Star's* week-end "Focus" section. Mr. Camp asked if the Task Force had discussed the County's new Center on 84th Street. He indicated that the reason he asked was that he had heard concerns that things were being spread out, instead of City/County utilizing these resources together. Ms. McRoy indicated that the subcommittee that she was on had targeted that concern for further study.

Ms. McRoy also reported that discussion had been held on Pershing Auditorium and the State Fair Grounds as a possible event locations.

8. DLA BOARD OF DIRECTORS MEETING (Seng) Ms. Seng reported that there would be "Farmers' Market" events held on Tuesday evenings in the Haymarket area (12th & "R" Streets). The University is working with the DLA in putting this together.

The Board met the new Manager of the baseball complex who came in from Sioux City for this position and will be relocating to Lincoln with his family.

The State Fair Park Study was also discussed. One of the things that surprised Ms. Seng is that the University, as outlined in their master plan, is not considering expanding to the north into the State Fair Park area. Kim Todd is the one who presented that information.

Mr. Cook asked if the State Fair Park group had any definite plans, in the light of the uncertainty of the development possibilities for the area. Ms. Seng indicated that they did not and that was the reason for the study they've undertaken. She noted that there were two-three members of the DLA on the Task Force and that money was the biggest obstacle they faced.

9. INDOOR ICE SKATING TASK FORCE (Shoecraft) Absent - Hold Over to next week.

10. PRT MEETING [Report Optional] (Shoecraft) - Absent - Hold Over to next week.

OTHER MEETINGS - NONE

III APPOINTMENTS/REAPPOINTMENTS :

Memos from Jennifer Brinkman - Ms. Brinkman commented on the Mayor's appointments to the Health Board. He had tried to reach Council Members Friday on several issues; if he has not contacted each Council Member, he will later this week. One of the issues would be the appointments to the Board of Health. The Mayor's intention is to replace the current members Mary Helen Elliott and Jim Hulse while reappointing Betsy Palmer. The new appointees would be Dr. Ed Schnider and Randy Ross, the Director of the Indian Center.

Mr. Camp and Mr. Fortenberry both expressed regret at losing the expertise and experience of Mary Helen Elliott from the Board. Mr. Camp encouraged the Mayor to re-appoint Ms. Elliott to the Board.

Ms. Seng commented on the e-mail from Alan Hersch to Council which indicated his interest in serving on a citizen task force for the Stevens Creek area planning process. She noted that Mr. Camp had also submitted a note referencing Mr. Hersch's offer. Ms. Brinkman stated that the information had been forwarded to the Planning Department and they are aware of Mr. Hersch's desire to serve.

Mr. Fortenberry expressed the thought that it would be helpful to go back to the attendance record of those persons seeking reappointment to various Boards and Commissions (with specific reference in this instance to the Personnel Board). Ms. Brinkman commented that the Mayor does look at that during his deliberations. She noted if Council would like to have that information included in their packet information, that could be provided. Ms. Seng directed that the information be included in Council's materials. Ms. Brinkman stated that it would be done.

IV. MEETINGS/INVITATIONS - *Noted without Significant Comment* - Ms. Seng did comment briefly on the May 16th Combined Rotary Luncheon. She indicated that she was trying to get a free table for Council and would let them know the outcome of her efforts.

V. COUNCIL MEMBERS

JON CAMP - No Further Comments

JONATHAN COOK - No Further Comments

JEFF FORTENBERRY - No Further Comments

CINDY JOHNSON - No Further Comments

ANNETTE McROY - No Further Comments

COLEEN SENG - Ms. Seng had several issues to present to Council. There was a letter from the Family Violence Council requesting a representative from the City to be on that Council. The County Commissioners have discussed this and agree that no City Council Member or County Commissioner should be on the Council under a conflict of interest constraint since the Common approves JBC budget outlays of which the Family Violence Council is a recipient.

Ms. Seng asked if all the Council Members had received the letter on the Chamber and the Work Force Development Symposium? It was determined that three Council Members had plans to attend.

Ms. Seng asked if any Council Members would be interested in serving on the Highway 77 (North) Association? No Council Member volunteered..

Ms. Seng passed out copies of the Memo from the Council Office sent to I.S. regarding concerns on the timeliness of informational postings to the Internet. Each Council Member received a copy of the Memo.

JERRY SHOECRAFT - Absent

ANN HARRELL - No Further Comments

JENNIFER BRINKMAN - No Further Comments

DANA ROPER - No Further Comments

VI. REQUESTS OF COUNCIL FROM MAYOR - NONE.

VII. MISCELLANEOUS -

1. Continued Discussion with Paul Malzer regarding the Restructuring Update information and the City Council Agenda Public Forum Procedure. Clerk Malzer presented Council with the attached information ("City Council Agenda Public Forum Procedure") and, after brief remarks by Council regarding the obvious upgrade from typewriter generated to computer generated documents [and some laughter] Clerk Malzer reviewed the procedural outline for Council.

Side One of the "Procedure" document outlines the procedures as they would be implemented under the Combined 1 and 3 Options approved by Council at the March 20, 2000 Council Members' "Noon" Meeting.

Side Two of the "Procedure" document outlines the procedures as they would be implemented under a revised continuation of the current format. Clerk Malzer explained that the only change would be in limiting what could be discussed (in addition to the matters as already defined on the Agenda) by excluding claims against the City and Personnel matters. Upon questioning, Clerk Malzer clarified the "claims" exclusion noting that it did NOT refer to those claims presented in the normal Agenda Item of "Claims Against the City" which have been submitted through due process and previously reviewed by the City Law Department.

Ms. McRoy asked if an individual isn't responsible for his or her own statements. She wondered how the City could be held liable for statements made by an individual. Mr. Roper explained that the issue would lie in a situation where the individual has no money so a person would then come after the City, which does have money, as an entity that provided a forum for the statements to be made publicly. Mr. Roper stated that he was not sure how valid the courts would view such a suit, but it is a possibility about which to be concerned.

Mr. Camp noted that he is not only concerned about liability, but also the Council's responsiveness to the constituents. If Council is advised prior to the meeting of the concerns or problems of the constituent, then they can have the information and maybe even a solution reached when the constituent comes forward at the meeting. He explained that this restructuring plan wasn't a way of eliminating the "open mike" policy, but of organizing it in order to better serve the public.

Mr. Cook commented that he feared this would eventually eliminate the public input stating that most people don't plan that far ahead and most would view the requirements as another layer of bureaucratic obstacles to their right to offer public input before the Council.

Discussion continued with a final decision being made to continue this matter until next Monday at the "Noon" Council Members' meeting.

2. Discussion on Agenda Items for the next Joint Meeting of the Lincoln City Council, the Lincoln Board of Education, and the Mayor. The meeting is scheduled for Thursday, April 13, 2000 at 7:30 a.m. at the Lincoln Public Schools District Offices. Any Agenda items from you need to be in by Tuesday, April 4th. ***Council proffered the following as items for discussion to be added to the Joint Meeting Agenda:***

- 1. Jonathan Cook: The time the meetings are held.***
- 2. Coleen Seng: New High Schools Design Update.***
- 3. Jeff Fortenberry: Discussion on Fluctuation of School District Boundaries involved during annexation processes - including notification to City Planning and City Council***
- 4. Jon Camp: Presentation on the "Daughters to Work" program scheduled for April 27th - Schools' needed involvement. [To be placed as the first item of business on the Agenda]***

These requests were phoned to Linda Pappas on 4-03-00.

VIII. MEETING DISMISSED - Approximately 1:25 p.m.